



Combating Underage Drinking: Working to Ensure Responsible Use, Sale of Alcohol

Year in and year out, one of the most significant public safety issues confronting the Attorney General's Office is the purchase and consumption of alcohol by young people under the legal drinking age of 21, and the harm that can result. One example: there were 275 alcohol-related traffic fatalities in New Jersey in 2004. Forty-one of the victims were under age 21.

Although alcohol-related tragedies are not the sole province of underage drinkers, there is no question that many young people — people too young to drink legally — have lost their lives in New Jersey as a result of binge drinking, highway accidents, fights and other incidents involving illicitly-obtained alcoholic beverages.

In 2005, the Attorney General's Office continued — through a variety of public awareness and enforcement efforts — to emphasize the responsible use of alcoholic beverages by all individuals, but made underage drinking one of its highest priorities.

Underage Drinking Enforcement Initiatives

In March 2005, the Division of Alcoholic Beverage Control (ABC) within the Attorney General's Office announced the arrest of 90 persons statewide for underage drinking. The arrests resulted from a targeted, statewide undercover effort by the Division to combat illegal drinking on and around college campuses.

The effort had actually begun in October 2004, and focused sharply on "college towns," and the municipalities that surround them, both of which typically see a large influx of young people during the school year. Under the program, ABC agents, working with local police departments, arrested underage persons, as well as bartenders, wait staff, store clerks and others who aided in the purchase of alcohol by those under the legal age, or who may have participated in other illegal activity. (In addition to criminal charges that may be filed against underage persons who purchase alcohol, the liquor licensee may be subject to administrative charges from the ABC or municipal body for violation of state Alcoholic Beverage Control laws.)

By May 2005, a total of 146 underage drinkers had been arrested in and around college communities since the initiative's launch the previous fall.

And there was no let-up for those breaking the law. As a new semester got under way in September 2005, Attorney General Harvey announced 58 more arrests as the result of a joint undercover investigation involving the ABC and Union Township police at a Union Township bar/eatery known as the Jumbalaya Restaurant.

"We are very concerned about underage drinking, since it produces fights and motor vehicle accidents, and contributes to sexual assault," said Attorney General Harvey. "Our goal is to protect young people from injury and death, and to help them develop into thoughtful and productive adults."

By working cooperatively with both local and county law enforcement officers, the Attorney General's Office and the ABC enhanced State efforts to combat underage drinking, and reduced the potential in college communities for alcohol-related tragedy involving young people.

Of course, another perennial concern relative to the underage drinking problem is the summer vacation season at the Jersey Shore. In June, the Attorney General's Office made clear that "shore towns" would also be well-policed for underage drinking throughout the summer, while also announcing a vigorous underage drinking prevention effort.

As part of the enforcement strategy, a total of 23 seashore municipalities participated in a program known as "Cops in Shops" during the summer. Meanwhile, an additional 25 towns throughout the State, as well as the Gloucester County Prosecutor's Office and the Salem

County Prosecutor's Office, launched "Cops in Shops" programs during the summer and committed to operating them year-round. Funding for those initiatives was provided by a total of \$203,000 in grants from the federal Office of Juvenile Justice and Delinquency Prevention.

"Cops in Shops" is a program designed by The Century Council, a national non-profit organization funded by America's leading distillers, that is committed to fighting underage drinking. Under the program, local police officers work undercover in participating retail locations. Law enforcement officials either pose as store employees or are positioned outside the establishment to apprehend adults who try to purchase alcohol for underage drinkers.

As part of the program, retail outlets display posters and decals, provided by The Century Council, on doors, windows, counter tops, and cold cases warning underage drinkers that a police officer may be working undercover in the establishment.

Since its inception in 1996, more than 4,400 underage persons and adults who have purchased alcohol for young people were arrested. Approximately 440 individuals were arrested during summer 2004 alone and, although totals for summer 2005 are not available at this writing, similar arrest numbers are expected. Underage drinkers and the adults who purchase alcohol for them face a minimum fine of \$500 and a mandatory loss of their driver's license for six months.

Attorney General Harvey and ABC Director Jerry Fischer with Siobhan Doran, of Hazlet, winner of the 2005 "Dangers of Alcohol" Billboard/Calendar Competition.



Prevention Efforts Remain a Key Component

Although the Attorney General's Office remains committed to deterring illegal use of alcoholic beverages through investigation and, where appropriate, prosecution, efforts focused on prevention and public-awareness remain indispensable aspects of the overall strategy as well.

"Dangers of Alcohol" Calendar/Billboard Competition

A successful initiative in 2005 was the "Dangers of Alcohol" calendar/billboard competition. A cooperative effort between the ABC and the Partnership for a Drug-Free New Jersey, the statewide initiative encouraged middle school students and their parents to work together to create calendar/billboard messages centered on the potential dangers of drinking. The competition generated more than 1,500 entries in 2005 — up from approximately 1,000 the previous year. Thirteen winning messages, selected from the submissions, were featured on a calendar that was distributed to middle schools at the start of the 2005-2006 school year. One message was featured for each month on the calendar, and the grand-prize-winning message was displayed on the calendar's front cover. Additionally, the grand-prize-winning message was reproduced for display on highway billboards throughout the State.

On Eve of Proms, Graduations: A Compelling Message About Alcohol

In May 2005 — as the graduation and prom season arrived and summer freedom beckoned for students — Attorney General Harvey visited West Windsor-Plainsboro Regional High School for an event that featured guest speaker Brandon Silveria. Silveria was involved in a near-fatal auto crash after drinking beer at a high school party shortly before his prom. As a result of the crash Silveria, then a student at Los Gatos High School in California, spent nearly three months in a coma, and another three years in rehabilitation. Featured on the television show "Rescue 911," Silveria's story is a compelling one. And his first-hand account of the tragedy provided West Windsor-Plainsboro students with powerful food for thought. Through a program developed by The Century Council, a non-profit or-

ganization that is committed to fighting underage drinking, Silveria and his father, Tony, visit high schools across the country, free of charge, providing a special one-hour assembly program that recounts Silveria's involvement with alcohol, the near-fatal car wreck, and his life since.

Attorney General Harvey, ABC Director Jerry Fischer, and Silveria attended assemblies at both West Windsor-Plainsboro High School South and High School North in May 2005. In doing so, they delivered a strong message focused on the consequences of underage drinking, as well as drinking and driving, to a total of nearly 1,000 students on the eve of their proms and graduation ceremonies. Attorney General Harvey again joined Brandon Silveria at Cliffside Park High School in October 2005 for a similar presentation on the consequences of drinking underage, and drinking and driving.

"Ask, Listen, Learn: Kids and Alcohol Don't Mix"

Consistent with its recognition of the issue as a top priority, the Attorney General's Office took its anti-underage-drinking message not only to those most likely to engage in such activity — high school students — but to younger students as well.

For example, Attorney General Harvey joined with representatives of The Century Council and educators at the Hedgepeth/Williams Middle School in Trenton in Fall 2005 for a presentation entitled "Ask, Listen, Learn: Kids and Alcohol Don't Mix."

"Ask, Listen, Learn: Kids and Alcohol Don't Mix," is a creative multimedia program, developed through a partnership between The Century Council and Nickelodeon, that helps facilitate conversations between parents and their children before they have are confronted with the opportunity to drink alcohol. Designed by a team of educators and psychologists specializing in middle-school-aged students, the interactive program helps parents have effective conversations about alcohol with their kids.

Ask, Listen, Learn includes:

- ◆ Web sites produced by Nickelodeon — www.asklistenlearn.com and www.asklistenlearnparents.com — where kids can go to get more information on avoiding peer pressure.
- ◆ Television advertising, produced by Nickelodeon, to encourage discussions between parents and kids about the dangers of underage drinking.
- ◆ A parent's booklet, detailing how to begin the conversation, sustain the conversation



Jerry Fischer
Director

Div. of Alcoholic Beverage Control

The mission of the Division of Alcoholic Beverage Control is to protect the public health, safety and welfare by regulating how alcoholic beverages are sold, and by encouraging moderation and responsibility in the consumption of alcohol. Comprised of the Office of the Counsel to the Director, the Enforcement Bureau, the Investigative Bureau and the Licensing Bureau, the Division fulfills its mission by regulating and licensing the manufacture, distribution, sale and transportation of all alcoholic beverages in New Jersey. If a licensee violates any law or regulation, the Director may suspend or revoke the license or impose a fine and/or any other appropriate condition. Retail licenses are generally issued by the city or town where the business is located, although the Division may issue a retail license in certain circumstances. Both the municipal issuing authority and the State ABC have concurrent jurisdiction to investigate and prosecute violations by retail licensees. The issuance of new licenses as well as transfers and renewals of existing ones must be approved by the municipal issuing authority and then sent to the Division where the information is processed. The ABC is the official repository for license ownership information. The Division is the sole issuing authority for manufacturing and wholesale licenses and for a variety of special permits for various charitable and business-related events. There are currently approximately 9,500 separate ABC licenses and more than 26,000 permits and insignia issued. Additionally, more than 42,000 brands of alcohol are registered and tracked by the Division.

The Division also acts as the appellate authority for any appeal that may be taken by a licensee or an interested party from any actions by the local issuing authority.

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- **David N. Bregenzer, Counsel to the Director**
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Harvey pans underage drinking

shore participating the Cops in Shops grant program this summer," Harvey said. He said an additional 25 municipalities participate in a year-round program.

"Since the program began in 1996, we've had more than 4,400 arrest of teens and adults. Last summer there were 440," he said.

The Cops in Shops program

participate in the year-round program.

The New Jersey Restaurant Association was also present yesterday to support the State's program.

"We represent 22,000 eating and drinking establishments in the state," said Deborah Dowdell, the association's president. She said her members offer two

Klein, 41, of South Brunswick, after she tried the exercise.

"I could never drink like that," she added. "I have responsibilities. I have two kids. And besides, it's not fun to be that drunk."

Also on hand yesterday were nine of the 13 finalists in a calendar/billboard competition sponsored by the Division of Al-

and make an impact on kids. It presents effective questions, data, conversation starters and answers to typical objections kids raise.

❖ A kid's booklet, with interactive tests about alcohol's impact on the body, trading cards (over 7 million trading cards are expected to circulate), how to avoid peer pressure, creative ways to say no, and interactive games with parents.

Attorney General Harvey continued throughout the 2005-2006 school year to make the "Ask, Listen, Learn" program booklets available to principals of every middle school in the state.

AG's Cliffside Park Visit: A Discussion With Brandon, Remembering Rebeka

In April 2004, Attorney General Harvey visited Cliffside Park High School to talk with students about drinking and driving. On October 18, 2005, the Attorney General returned to Cliffside Park High to continue the conversation. Joining him were Brandon Silveria and representatives of The Century Council.

Brandon is a powerful and committed ambassador regarding the dangers of drinking and driving. Despite Brandon's permanent and visible speech and walking disabilities, he delivers a compelling message to teens about the dangers of drinking and driving, a message he takes throughout the United States while accompanied by his father. The Attorney General decided to bring Brandon and the Century Council program to New Jersey after meeting the parents of Rebeka Vereia, a graduating senior from Cliffside Park High School, who was killed on graduation night 2004 while riding home with a fellow classmate. Rebeka was in the audience the day Attorney General Harvey made his initial visit to Cliffside Park in April 2004. Since her tragic death, Rebeka's parents have waged a campaign to reduce youth drinking and driving.

AG Harvey addresses students at Cliffside Park High School on the dangers of drinking and driving. Behind him is a portrait of Rebeka Vereia, a Cliffside Park graduate killed in an alcohol related accident.

Radio, TV Public Awareness Announcements

As part of its 2005 prevention and awareness effort, the Attorney General's Office employed a 30-second television Public Service Announcement (PSA) focused on the dangers and consequences of underage drinking. The PSA aired on television stations in New Jersey throughout the summer, and served as a reminder of the serious consequences faced by any individual who chooses to drink under the legal age. In addition, a 60-second radio PSA targeting underage drinkers was distributed to all New Jersey radio stations for use in July and August. In the radio spot, Attorney General Harvey detailed the potential consequences confronting those under 21 who purchase alcohol.

Rounding out the Attorney General's broadcast-media-centered awareness efforts for 2005 were three new, 30-second television PSAs taped by Attorney General Harvey in conjunction with The Century Council, discussing the dangers of underage drinking. All broadcast media outlets in the New Jersey metropolitan area were provided the new PSAs for broadcast.

Other alcoholic-beverage-related actions and initiatives involving the Attorney General's Office in 2005 included:

❖ Crackdown on Unlicensed Sales —

In January 2005, a joint investigation by the ABC, the Division of Criminal Justice and the Division of Taxation in the Department of Treasury resulted in the confiscation of more than 20,000 cases of untaxed alcoholic beverages and cigarettes. Also, as a result of court-authorized search warrants, two individuals associated with the illegal operation were charged with the unlawful sale and distribution of alcoholic beverages. The investigation targeted the wholesale activities of a warehouse in South Jersey that was engaged in the business of selling untaxed alcohol, beer and wine to various restaurants and retail outlets in the South Jersey/Pennsylvania area. It was charged that the warehouse operation, identified as JWTA, Inc., located in Cherry Hill,

was operating without obtaining a wholesale license permitting the legal sale of alcoholic beverages to wholesale and retail outlets.

The undercover aspect of the investigation ended on January 20, 2005 when law enforcement raided the Cherry Hill warehouse and seized 20,300 cases of untaxed liquor, beer, sake and wine, as well as other alcoholic beverages and cigarettes. While conducting court-authorized search and seizure warrants, State Investigators charged Kye C. Maeng, 51, of Cherry Hill (identified in official documents as a part owner of JWTA, Inc.), and a second defendant, Toyanhee Cho, with the unlawful possession, sale and/or distribution of alcoholic beverages without a license. The ABC determined that JWTA, Inc. applied for the transfer of a New Jersey Plenary Wholesale License in July 2001. ABC denied the application on grounds that a state-issued wholesale license is not transferrable. As a result, JWTA was not legally licensed and could not lawfully sell, service or distribute alcoholic beverages to New Jersey wholesale or retail establishments.

❖ Computer Enhancements/ E-Commerce/ABC Web Site —

The ABC made information more accessible to both licensees and the general public in 2005 through its enhanced Web site www.nj.gov/oag/abc. For the first time, the Web page includes ABC's retail licensee handbook (in both English and Spanish), a comprehensive list of frequently asked questions, information on new initiatives and grant programs, and forms and documents used by liquor licensees. User-friendly, the interactive Web site provides quick access to information vital to liquor licensees. Individuals and business owners are also invited to e-mail specific questions to the Division through a special Internet address available on the Web site. Additionally, the Division continued taking steps in 2005 to maximize use of cutting-edge technology. From enhancing the internal computer system to e-commerce, the agency is continually looking at ways to better serve licensees. The licensing process has been reviewed and a new computer system that could ultimately provide a higher level of service to both local municipalities and all licensees is being instituted in early 2006. To further assist licensees, the Division continues to look at ways to monitor and change license information via the Internet, and to allow licensees to make payments online in a secure environment.

❖ Wine Tasting Regulation Follow-up —

Legislation was enacted in early 2004 that permits an expansion of alcoholic beverage tastings already permitted on retail consumption licensee premises. Additionally, the legislation permits, for the first time, sampling of wine on distribution licensee premises. The ABC promulgated regulations related to these tasting activities in 2004, and continued in 2005 to evaluate tastings being conducted on retail premises.

